

# **EXHIBIT 1**



## Notice of Service of Process

null / ALL  
Transmittal Number: 24810707  
Date Processed: 04/22/2022

**Primary Contact:** Heather McClow  
Lowe's Companies, Inc.  
1000 Lowes Blvd  
Mooresville, NC 28117-8520

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<b>Entity:</b>	Lowe's Home Centers, LLC Entity ID Number 2515365
<b>Entity Served:</b>	Lowe's Home Centers, LLC
<b>Title of Action:</b>	Mathew King vs. Lowe's Home Centers, Inc.
<b>Matter Name/ID:</b>	Mathew King vs. Lowe's Home Centers, Inc. (12216552)
<b>Document(s) Type:</b>	Summons/Complaint
<b>Nature of Action:</b>	Discrimination
<b>Court/Agency:</b>	Superior Court, DE
<b>Case/Reference No:</b>	K22C-04-001 JJC
<b>Jurisdiction Served:</b>	Delaware
<b>Date Served on CSC:</b>	04/21/2022
<b>Answer or Appearance Due:</b>	20 Days
<b>Originally Served On:</b>	CSC
<b>How Served:</b>	Personal Service
<b>Sender Information:</b>	Jacobs & Crumplar, P.A. 302-656-5445

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251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | [sop@cscglobal.com](mailto:sop@cscglobal.com)

EFiled: Apr 01 2022 03:42PM EDT

Transaction ID 67447359

Case No. K22C-04-001 JJC



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

MATHEW KING,

Plaintiff,

v.

LOWE'S HOME CENTERS, INC., a  
foreign corporation, and LOWE'S HOME  
CENTERS, LLC, a foreign limited  
liability company,

Defendants.

**THE STATE OF DELAWARE,  
TO THE SHERIFF OF NEW CASTLE COUNTY:  
YOU ARE COMMANDED:**

C.A. No. K22C-04-

JURY TRIAL DEMANDED

SUMMONS

To summon the above-named defendant so that, within 20 days of service hereof upon defendant, exclusive of the day of service, defendants shall serve upon plaintiff's attorney, whose address is 750 Shipyard Drive, Suite 200, Wilmington, DE 19801, an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense).

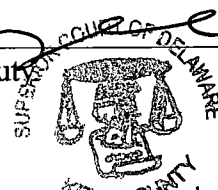
To serve upon defendant a copy hereof and of the complaint (and of the affidavit of demand if any has been filed by plaintiff).

Dated: 4/14/22

Annette R. Ashley

Prothonotary Annette Ashley

Per Deputy



**TO THE ABOVE-NAMED DEFENDANT:**

In case of your failure, within 20 days after service of hereof upon you, exclusive of the day of service, to serve on plaintiff's attorney named above, an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense), judgment by default will be rendered against you for the relief demanded in the complaint (or in the affidavit of demand, if any).

Dated: 4/14/22

Annette R. Ashley

Prothonotary Annette Ashley

Per Deputy



**SUPERIOR COURT** EFiled: Apr 01 2022 03:42PM EDT  
**CIVIL CASE INFORMATION STATEMENT (CIS)** Transaction ID 67447359



COUNTY: N K S

CIVIL ACTION NUMBER: Case No. K22C-04-001 JJC**Caption:**

MATTHEW KING,

Plaintiff,

v.

LOWE'S HOME CENTERS, INC., a foreign corporation, and  
LOWE'S HOME CENTERS, LLC, a foreign limited liability  
company,

Defendants.

Civil Case Code: CMISCivil Case Type: Civil Miscellaneous  
(SEE REVERSE SIDE FOR CODE AND TYPE)MANDATORY NON-BINDING ARBITRATION (MNA) NO

Name and Status of Party filing document:

MATTHEW KING, PLAINTIFF

Document Type:(E.G.; COMPLAINT; ANSWER WITH COUNTERCLAIM)

COMPLAINT

JURY DEMAND: YES XX No     **ATTORNEY NAME(S):**PATRICK C. GALLAGHER  
ALEXIS N. STOMBAUGH**ATTORNEY ID(S):**#5170  
#6702**FIRM NAME:**

JACOBS &amp; CRUMLAR, P.A.

**ADDRESS:**750 Shipyard Drive, Suite 200  
Wilmington, DE 19801**TELEPHONE NUMBER:**

(302) 656-5445

**FAX NUMBER:**

(302) 656-5875

**E-MAIL ADDRESS:**pat@jcdelaw.com  
alexis@jcdelaw.comIDENTIFY ANY RELATED CASES NOW PENDING IN THE SUPERIOR COURT OR  
ANY RELATED CASES THAT HAVE BEEN CLOSED IN THIS COURT WITHIN THE  
LAST TWO YEARS BY CAPTION AND CIVIL ACTION NUMBER INCLUDING  
JUDGE'S INITIALS:N/A

EXPLAIN THE RELATIONSHIP(S):

OTHER UNUSUAL ISSUES THAT AFFECT CASE MANAGEMENT:

(If ADDITIONAL SPACE IS NEEDED, PLEASE ATTACH PAGE)

**THE PROTHONOTARY WILL NOT PROCESS THE COMPLAINT, ANSWER, OR FIRST RESPONSIVE PLEADING IN THIS MATTER FOR SERVICE UNTIL THE CASE INFORMATION STATEMENT (CIS) IS FILED. THE FAILURE TO FILE THE CIS AND HAVE THE PLEADING PROCESSED FOR SERVICE MAY RESULT IN THE DISMISSAL OF THE COMPLAINT OR MAY RESULT IN THE ANSWER OR FIRST RESPONSIVE PLEADING BEING STRICKEN.**

**EFiled: Apr 01 2022 03:42PM**

Transaction ID 67447359

**Case No. K22C-04-001 JJC**



**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**

MATHEW KING,

Plaintiff,

**V.**

**LOWE'S HOME CENTERS, INC., a  
foreign corporation, and LOWE'S HOME  
CENTERS, LLC, a foreign limited  
liability company,**

**Defendants.**

• • • • •

C.A. No. K22C-04

## JURY TRIAL DEMANDED

## COMPLAINT

## The Parties and Background

1. Plaintiff Mathew King (“King”) is a resident of Sussex County, Delaware.
2. Lowe’s Home Centers, Inc. (“Lowe’s Inc.”), is a North Carolina corporation, whose registered agent is the Corporation Service Company, located at 251 Little Falls Drive, Wilmington, Delaware 19808. Plaintiff demands the Defendant deny the allegations contained in this paragraph, by Affidavit in accordance with the provisions of 10 *Del. C.* §3914 and §3915.
3. Lowe’s Home Centers, LLC (“Lowe’s LLC”), is a North Carolina limited liability company, whose registered agent is the Corporation Service Company, located at 251 Little Falls Drive, Wilmington, Delaware 19808. Plaintiff demands the Defendant deny the allegations contained in this paragraph, by Affidavit in accordance with the provisions of 10 *Del. C.* §3914 and §3915.
4. Lowe’s Inc., and Lowe’s, LLC (collectively “Defendants”), operates the Lowes Home Improvement Store at 20364 Plantations Road, Lewes, Delaware 19958. Lowe’s Defendants have more than 15 employees. Upon information and belief, Defendants have more than 15 employees.

**King's Status as a Medical Marijuana Cardholder**

5. King suffers from several medical problems. He suffers from post-traumatic stress disorder, stomach issues, adverse reactions to medications, and general pain. King applied for and received a medical marijuana card through the State of Delaware in or around November of 2019.

6. At all times relevant, King had a lawfully issued medical marijuana card that did not expire until November 15, 2021.

**King is Interviewed by Lowe's**

7. In or about July of 2020, King applied for a position at Lowe's and was interviewed on the spot. The manager told him he had 48 hours to complete a drug screen. The position King applied for was for a full time or part time and paid either \$16.00 an hour or \$17.00 an hour.

8. King disclosed to the manager that he had a medical marijuana card. The manager told King they could not hire him even with the card.

9. When King left, he received a phone call from the manager asking whether the medical marijuana card he possessed was a federal card. King told him it was a Delaware card and the manager once again told King he could not hire him.

10. As a result of Defendants rescinding its job offer, King lost income, suffered financial problems, suffered emotional distress, and experienced disruption to life.

**COUNT I – LOWE'S VIOLATION OF 16 DELAWARE CODE SECTION 4905A**

11. Plaintiff reincorporates all other allegations in the Complaint as if they are stated in this Count.

12. The State of Delaware enacted the Delaware Medical Marijuana Act ("MMA") when it was passed by the General Assembly and signed into law by the Governor in 2011. The

MMA is codified in Chapter 49A of Title 16 of the Delaware Code. The MMA was in effect at all relevant times for purposes of this litigation.

13. King is a “cardholder” as that term is used in the MMA.

14. Section 4905A of Title 16 of the Delaware Code prohibits, among other things, an employer from discriminating against someone by failing to hire him or terminating someone based upon his status as a “cardholder” or because a cardholder fails a drug test for marijuana components or metabolites.

15. Defendants refused to hire King because of his status as a cardholder.

16. As a result of the discrimination based upon King’s status as a cardholder, he sustained the damages identified in paragraph 10.

17. The Delaware Department of Labor’s Office of Anti-Discrimination, in another case, has taken the position that it does not have administrative jurisdiction over claims asserted under 16 Delaware Code Section 4905A. Thus, any effort to exhaust administrative remedies would be futile.

WHEREFORE, Plaintiff Mathew King respectfully requests this Court:

- A. Enter judgment in his favor and joint and severally against defendants Lowe’s Home Centers, Inc., and Lowe’s Home Centers, LLC;
- B. Award him special damages, including back pay and front pay, as he can prove as well as compensatory damages;
- C. Award him pre- and post-judgment interest;
- D. Award him costs of the action; and
- E. Grant such other relief as the Court deems proper.

**JACOBS & CRUMPLAR, P.A.**

/s/ Patrick C. Gallagher

Patrick C. Gallagher, Esquire (#5170)

Alexis N. Stombaugh, Esquire (#6702)

28412 Dupont Blvd., Suite 104

Millsboro, DE 19966

(t) 302.656.5445

(f) 302.656.5875

*Attorneys for Plaintiff*

Date: April 1, 2022